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UNITED STATES PRESENTS REPORT TO U.N. ANTI-TORTURE COMMITTEE

State's senior legal adviser warns against "speculation and rumor"

By Vince Crawley
Washington File Staff Writer

Washington – Claims of torture and mistreatment by U.S. personnel in the War on Terror have become so exaggerated and overstated that they are "absurd," the State Department's top legal adviser told a U.N. human rights committee May 5.

John B. Bellinger III told the U.N. Committee Against Torture that there have been "relatively few actual cases of abuse and wrongdoing" by U.S. personnel, and that these isolated cases do not reflect widespread abuses. He asked the international committee to "keep a sense of proportion and perspective."

Bellinger, the senior legal adviser to the State Department, is leading a high-level U.S. delegation that is presenting a formal report to the Committee Against Torture, which meets May 5-8 in Geneva. The United States is among 141 nations that are party to the U.N. Convention Against Torture, which requires signatories periodically to submit reports on their compliance with the treaty.

The United States last submitted a written report to the committee in 1999 and orally presented that report in 2000. In May 2005, the United States submitted its second periodic report to the committee;

Bellinger's delegation began its oral presentation this May 5. Bellinger said he is "acutely aware of the innumerable allegations ... about various U.S. actions" against captured combatants in U.S. custody.

"I would ask you not to believe every allegation that you have heard," Bellinger told the U.N. committee. "Allegations about U.S. military or intelligence activities have become so hyperbolic as to be absurd. Critics will now accept virtually any speculation and rumor and circulate them as fact." Because of security concerns and ongoing intelligence operations, U.S. government officials often are unable to comment on the allegations, he said.

DETAINEE ISSUE

Human rights groups have accused the United States of mistreating detainees captured in military and intelligence operations in Afghanistan, Iraq and elsewhere. Media reports also have alleged that the United States has transported captured fighters to countries known to practice torture. Addressing the U.N. committee, Bellinger stressed what he called "the United States government's absolute commitment to upholding our national and international obligations to eradicate torture and to prevent cruel, inhuman or degrading treatment or punishment worldwide." He said that President Bush has made clear that "freedom from torture is an inalienable human right."

The U.S. report and written answers to questions from the committee "contain extensive information about U.S. detainee operations in Guantanamo Bay, Cuba, and in Afghanistan and Iraq," Bellinger said.

"It is the view of the United States that these detention operations are governed by the law of armed conflict," which supersedes civil processes, he said. At the time negotiations on the Convention Against Torture were concluded in the 1980s, Bellinger said, U.S. negotiators made clear that the treaty "was never intended to apply to armed conflicts" but to "ordinary domestic legal processes."

Nonetheless, because the United States feels so strongly about prohibiting torture, "we are pleased to provide extensive information on these operations in a sincere spirit of cooperation with the committee," Bellinger said. The United States, he said, has comprehensive legislation that allows victims of torture, regardless of citizenship, to file legal claims against foreign governments in U.S. federal courts.

In addition, the United States is the largest contributor to the U.N. Voluntary Fund for Victims of Torture. Between 2000 and 2005, the United States contributed more than \$32 million to the fund, which is approximately 70 percent of total contributions during that time.

Barry Lowenkron, assistant secretary of state for democracy and labor, also addressed the U.N. committee hearing.

"My government's position is clear," Lowenkron said. "U.S. criminal law and treaty obligations prohibit torture, and the United States will not engage in or condone it anywhere. ... That is not just a legal obligation – we are fulfilling a higher moral obligation, which our nation has embraced since its earliest days."

Abuses of detainees, such as those at the Abu Ghraib prison in Iraq, "sickened the American people," Lowenkron said, adding, "when we make mistakes, we take corrective measures." For example, the U.S. government has conducted more than 600 criminal investigations into allegations of detainee mistreatment, he said, and more than 250 individuals have been held accountable for detainee abuse. Punishments have included prison terms as long as 10 years, he said.

More than 1,000 international journalists have traveled to Guantanamo Bay to report on detainee operations, and the International Committee for the Red Cross recently said conditions at Guantanamo had "improved considerably," Lowenkron said.

The U.S. government also has an effective system of checks and balances, Lowenkron said. For example, federal courts have rendered decisions on detainee matters, and the U.S. Congress recently passed the Detainee Treatment Act of 2005, which makes it illegal for anyone in U.S. custody, regardless of location, to be mistreated. "The enactment of the Detainee Treatment Act," Bellinger told the committee, "highlights our nation's commitment to upholding the values of freedom and humanity on which it was founded."

The full text of Bellinger's and Lowenkron's statements are posted on the Web site of the U.S. Mission to the United Nations in Geneva. The site also has a statement on the U.S. report on the Convention Against Torture <http://geneva.usmission.gov/>

See also Detainee Issues: http://usinfo.state.gov/dhr/human_rights/detainees.html

U.S. HAILS DARFUR PEACE ACCORD

Agreement calls for prompt disarmament of
Jingaweit, other armed militia groups

By Howard Cincotta
Washington File Special Correspondent

Washington -- The United States praised the Darfur Peace Agreement, signed in Abuja, Nigeria, on May 5 between the government of Sudan and the principal rebel group, the Sudan Liberation Movement (SLM), as a vital step in ending the suffering of the people of Darfur and providing an opportunity for national peace and reconciliation.

The accord provides for detailed, verifiable steps to disarm and neutralize the Jingaweit and other armed militia groups, and opens the way for economic recovery and integration of the former combatants and people of Darfur into the political process.

"This is an important day for the people of Darfur," according to a White House statement that stressed the unity of the international community in pressing for the peace agreement, and in ensuring its full implementation. The statement also called upon two holdout rebel leaders, Khalil Ibrahim of the Justice and Equality Movement and Abdul Wahid Nur of the SLM, "to join the peace process."

The White House later reported that President Bush called President Olusegun Obasanjo of Nigeria and President Denis Sassou-Nguesso of the Republic of the Congo, and current head of the African Union, to thank them for their outstanding work in achieving the Darfur accord.

In his conversation with President Obasanjo, Bush asked for Nigeria's help in moving the agreement and its enforcement to the United Nations, according to news reports.

Deputy Secretary of State Robert B. Zoellick, the chief U.S. negotiator in the peace talks, said that the peace accord is an opportunity for an end to violence and a new political future for Darfur, but acknowledged the dangers and threat remain.

"Does Darfur remain a dangerous place, yes, it does," Zoellick said in a press conference from Abuja on May 5, where he engaged in virtually non-stop negotiations

with African and Sudanese representative in recent days. "Can one assure that there's not going to be any violence? No, one can't" he said. "But you now have at least the commitment of the major rebel movement and the government not to be conducting violent operations."

The Darfur accord calls upon the Sudanese government to prepare a detailed plan for the neutralization and disarmament of the Jingaweit and other militia groups within 37 days of the agreement's signing, according to Zoellick. The disarmament would be verified by the African Union. There are also provisions for buffer zones around the refugee camps, and "humanitarian corridors" that neither Sudanese nor rebel forces can enter, he said.

"The Jingaweit and other armed militia be disarmed before the rebel forces assemble and prepare for their own disarmament and integration," Zoellick said. He also pointed to recommendations in the agreement calling for 4,000 "former combatants" to be integrated into the national army, 1,000 in the police, and 3,000 into training programs to assist with civilian reconstruction.

On the political front, Zoellick said that the Darfur agreement complements and strengthens the earlier North-South Comprehensive Peace Accord in Sudan. He noted, for example, that the Darfur agreement calls for naming a representative of the rebel movement as a senior assistant to the president -- the fourth-highest position in the Sudanese government. The same person would also serve as "chairperson" of a transitional Darfur regional authority, Zoellick added.

Zoellick cited provisions in the agreement for state and local elections no later July 2009, a commitment by the central government for economic assistance in Darfur, and a promise by the international community to hold a donors conference in the future.

Asked about rebel leaders who have not yet signed the Darfur agreement, Zoellick stressed that all parties remain subject to the terms of a separate ceasefire that remains in effect. "It's time to turn from guns and bullets to making decisions through political debates and the ballot box under the Comprehensive Peace Accord," Zoellick said.

Throughout the negotiations, negotiators tried to keep their focus on the people of Darfur, Zoellick said. "They're the ones that have really suffered and they're the ones who are crying out for peace and they deserve a fair shot at not only returning to their homes, but political

participation in the Sudan that is struggling to overcome its past by achieving peace, both North and South and East and West.”

The full text of the White House statement on the Darfur Peace Agreement is available on the White House Web site: <http://www.whitehouse.gov/news/releases/2006/05/20060505-7.html>

The transcript of Deputy Secretary Robert Zoellick’s Abuja press conference is available on the State Department Web site: <http://www.state.gov/s/d/rem/2006/65933.htm>

For more information on the Sudan peace process, see Darfur Humanitarian Emergency: <http://usinfo.state.gov/af/africa/darfur.html>

U.S., U.N. RECOMMIT TO AMELIORATING DARFUR HUMANITARIAN CRISIS

State Department contributes another \$41 million to refugee aid

By Charlene Porter
Washington File Staff Writer

Washington – As incremental progress is made toward a peace deal in the Darfur region of Sudan, top U.S. and U.N. refugee policy officials recommitted to provide assistance to the 2 million people in the region who have been displaced as a result of the conflict.

At peace talks in the Nigerian capital, Abuja, news agencies report the largest rebel group in the Darfur region has agreed to sign a peace deal with the government May 5, although two smaller groups have refused to sign.

U.S. Deputy Secretary of State Robert B. Zoellick and negotiators from the African Union and other members of the international community have been participating in the talks, attempting to bring the parties to some agreement that will end the violence that has affected as many as 3.5 million people and spilled over from Sudan into Chad.

At a press briefing in Washington May 5, Assistant Secretary of State for Population, Refugees and

Migration Ellen Sauerbrey announced that the United States is contributing \$40.7 million to the U.N. High Commissioner for Refugees (UNHCR) in its mission to assist the 9.2 million refugees worldwide.

Sauerbrey said the additional U.S. dollars should provide assistance to both Sudanese refugees in Chad and Colombian refugees in Ecuador. She also cited the importance of assistance for repatriation of refugees from Afghanistan, Liberia and Burundi and resettlement to refugees in Nepal and Tanzania.

With this latest contribution, U.S. assistance to UNHCR programs comes to \$274 million in 2006, making the United States the largest single donor to the Geneva-based agency. Sauerbrey shared the briefing with U.N. High Commissioner for Refugees António Guterres. Although the two commented on a number of refugee situations around the world, the greatest sense of urgency arose from the Darfur crisis.

“Our chief concern is the humanitarian problems of the number of people who have fled as refugees,” said Sauerbrey, “and within Chad the numbers of internally displaced persons that now are gathering around the refugee camps.”

She echoed the position re-stated by President Bush May 4 that the United States supports deployment of a U.N. peacekeeping force to augment the African Union troops already on the ground in Darfur.

Guterres said it is essential that the opportunity for peace seemingly at hand through the Abuja talks not be lost. He said any hope for lasting peace and reconstruction will rest with an effective peacekeeping force.

“I will very strongly appeal to the international community to support the [African Union] troops that are now there, but with limited capacity and resources,” said Guterres. “And to create the conditions – and I hope the Security Council will create those conditions – for a U.N. force to be established with a much stronger presence, and a much clearer mandate.”

Guterres also expressed his “deep gratitude” for the ongoing support of the United States and its partnership with UNHCR in assisting refugees of the world.

A fact sheet on the Darfur crisis and assistance to ameliorate it is available on the State Department Web site: <http://usinfo.state.gov/af/img/assets/4475/sudan.pdf>

U.S. HEALTH AGENCY AWARDS \$1 BILLION TO PREPARE FOR PANDEMIC

Five companies to develop new influenza vaccine technologies

By Cheryl Pellerin
Washington File Staff Writer

Washington – As part of the president’s plan to prepare for a pandemic, U.S. Department of Health and Human Services Secretary Michael Leavitt announced the award of more than \$1 billion to five pharmaceutical companies to accelerate development and production of new technologies for influenza vaccines in the United States.

During a May 4 press briefing, Leavitt said the goal is to have the ability in the United States, within three to five years, to manufacture 300 million courses of pandemic flu vaccine within six months of the declaration of a pandemic.

“The hard truth is that at this moment,” Leavitt said, “the capacity simply does not exist within the United States to produce vaccines with sufficient speed and quantity to reach every American, and that’s true in countries all over the world. But that’s about to begin to change.”

In November 2005, President Bush proposed \$7.1 billion for a multiyear effort to prepare the nation for a pandemic, and Congress provided the first \$3.8 billion in funding to implement the plan.

“We’re using those funds to pursue a broad strategy of preparedness,” Leavitt said, “including investing in vaccines, investing in rapid diagnostics, investing in dose-stretching technology. We also are increasing our domestic and international surveillance and planning.” The Bush administration unveiled a far-reaching plan May 3, the National Strategy for Pandemic Flu Preparedness Implementation Plan, that directs federal government agencies to take more than 300 actions to prepare for an outbreak of pandemic influenza.

DEVELOPING NEW FLU TECHNOLOGIES

The five companies are GlaxoSmithKline (\$274.75 million), MedImmune (\$169.46 million), Novartis Vaccines & Diagnostics (\$220.51 million), DynPort Vaccine with Baxter Healthcare (\$40.97 million), and Solvay Pharmaceuticals (\$298.59 million).

The companies, Leavitt said, also are “making substantial commitments of their own in terms of people, capital and resources.”

The contracts support the advanced development of cell-based production technologies for influenza vaccines and will help modernize and strengthen the nation’s influenza vaccine production by creating an alternative to producing influenza vaccines in eggs.

Standard egg-based vaccine production methods, developed more than 50 years ago, involve identifying which virus strains should go into a vaccine, then growing those strains in millions of fertilized chicken eggs before harvesting, purifying and killing the viruses and using them in vaccines.

The process is time consuming and uses about 100 million eggs each flu season in the United States alone. The egg-based method is especially problematic for a potential H5N1 vaccine because the virus kills chicken embryos before much of the virus can grow.

Cell-based vaccine manufacturing – a technology used in many other modern vaccines – is a more reliable, more flexible and more scalable method of producing flu vaccines.

The cell-culture method involves growing animal or human cells in the laboratory in a nutrient solution. The virus is injected into the cells, and cells and viruses multiply. Then the cells’ outer walls are removed and the virus is harvested, purified and inactivated.

Cell-culture-based flu vaccines could help meet surges in capacity needs in the event of a shortage or pandemic because cells can be frozen in advance and large volumes grown quickly.

“We have the opportunity to be the first generation that prepares for pandemic,” Leavitt said. “Our current capacity of egg-based influenza vaccine production is not sufficient to meet increased demands during an emergency. Accelerating the development of this vaccine technology and creating domestic capacity are critical to our preparedness efforts.”

BEING PREPARED

The new contracts decrease U.S. dependence on egg-based manufacturing, but the method is still useful.

Health and Human Services has contracted with vaccine makers Sanofi-Pasteur and Chiron to create nearly 4 million courses of vaccine against the H5N1 bird flu virus using conventional egg-based techniques.

The vaccines, Leavitt said, “will be stored in our strategic national stockpile until and if they are needed.”

He acknowledged that the stockpiled vaccine will not be a perfect match for a mutated virus, but said it will provide some protection until a more specific vaccine can be made available.

His department also is pursuing more advanced flu technologies. Scientists at the National Institutes of Health are collaborating with pharmaceutical companies to develop a library of live vaccine candidates against all known influenza strains that have a pandemic potential. Such a library would give researchers a head start on developing vaccines for emerging flu strains.

Researchers also are working to develop DNA vaccines, in which the genes of an influenza virus are inserted into a harmless virus that is then used as a vaccine. Such new-generation vaccines would be broadly protective against a wide range of influenza viruses. (See related article.)

The challenges to developing such vaccines “are substantial,” Leavitt said, “but if we could get there, it would take the threat of a pandemic right off the table.”

Health and Human Services is continuing to stockpile anti-viral drugs, ventilators, masks and hospital gloves, and is expanding its domestic and international surveillance efforts and enhancing our state and local preparedness.

“By leading the way to the development of new technologies,” Leavitt said, “we will also be helping other nations be prepared. We’ll be coordinating with other nations to do this, to assure that we are taking advantage as best we can of the advances that are occurring in other nations.”

The full text (PDF, 234 pages) of the National Strategy for Pandemic Flu Preparedness Implementation Plan is available at the department’s Web site:
http://www.whitehouse.gov/homeland/nspi_implementation.pdf

Please Note: Most texts and transcript mentioned in the U.S. Mission Daily Bulletin are available via our homepage: <http://geneva.usmission.gov/>

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